

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MATRIX ESSENTIALS,

Plaintiff,

-against-

QUALITY KING DISTRIBUTORS, INC.,
BERNARD NUSSDORF, GLEN
NUSSDORF, and STEPHEN NUSSDORF,

Defendants.
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MEMORANDUM AND ORDER

CV 90-1070

(Wexler, J.)

APPEARANCES:

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WEXLER, District Judge

Upon conclusion of the first phase of this non-jury trial, this court enters the following order.

Counsel for Plaintiff is to advise the court, within two weeks of the date of this order, as to whether there is additional information to provide to the court with respect to specific questions raised by the court regarding the 1990 marketplace. In the event that there is such additional information, the court will schedule a hearing as necessary;

The parties are directed to simultaneously submit proposed Findings of Fact and Conclusions of Law to the court on March 2, 2007. Each of the Findings and Conclusions are not to exceed twenty-five pages in length (exclusive of exhibits);

Findings of Fact and Conclusions of Law are to be filed electronically and courtesy copies are to be provided to the court;

The parties are requested to prepare a joint binder of exhibits admitted during the trial for submission to the court;


All pending in limine motions are denied as moot, to the extent that they pertain to the issues tried, and without prejudice to renew, to the extent that they pertain to issues that have not yet been tried;

All pending summary judgment motions are denied.

In view of the foregoing, the Clerk of the Court is directed to terminate all pending

motions herein.

SO ORDERED.



LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York
January 19, 2007